

Applicant : GOVERNALE
Serial Number : 10/817,280
Amendment in Response to Office Action of 03/23/2006

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REMARKS

The Examiner's Office Action has been reviewed. The rejection of Claim 7 as being a double inclusion to features in one embodiment and not the other is well taken. As a result, this claim has been canceled.

The Examiner has then rejected Claims 1 - 3, as well as dependent Claims 4, 5, 6 and 7, as reciting side edges to the handle portion. This ground of rejection is deemed no longer applicable in view of the amendment defining the side edge as only one side edge as suggested by the Examiner. It is deemed that further revisions to the specification in these regards or modifications of the drawings would be inappropriate inasmuch as the specification clearly defines two embodiments, each with a handle portion as including a closed edge 28 and 128 in combination with an open edge 30 and 130. Note Figure 2 with page 11, line 6, and Figure 5 with page 13, line 20. As such, the Examiner's objection to the drawings as well as the rejection based upon 35 U.S.C. 112 is deemed overcome by the amendments herein. If the Examiner persists in such rejection, it is requested that further detail be provided with regard to the rejection. A telephone interview might be appropriate if desired by the Examiner.

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The Examiner has then rejected Claims 3, 4, 6 and 7 "under 35 U.S.C. 102(b) as being anticipated by Gelbard." This rejection is traversed. Although there are similarities between Gelbard and applicant's invention as claimed, there are also significant differences. The most significant difference is that Gelbard has a lower seal 25 as well as parallel upper seals 24 in combination with sealed side edges. In applicant's device, the sealed end of the handle portion is opposite an open side edge which provides differences in structure and function from the prior art as exemplified by Gelbard. Simply stated Gelbard is to a plastic bag for carrying groceries, and the like. Applicant's invention is a system for protection of a sensitive radiation detecting device. The structure and function between applicant's device as presently claimed and the prior art as exemplified by Gelbard are sufficiently different that patentability should be no longer denied to applicant.

Applicant's invention is new, not being disclosed in the prior art. Applicant's device is useful as a significant step forward in the technology and it is urged that applicant's invention is unobvious over the prior art whether taken alone or in any possible combination.

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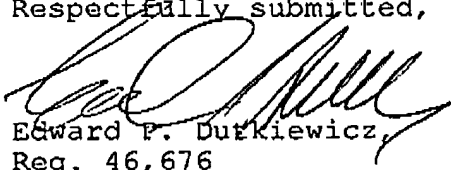
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Reconsideration and a Notice of Allowance are requested.

Respectfully submitted,



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